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PTO/SB/51 (02-01)

Approved for use through 10/31/2002. OMB 0851-0031  
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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>38292R1</b>						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Assistant Commissioner for Patents, Washington D.C. 20231" on _____.</p> <p>Signature _____</p> <p>Typed or printed name _____</p>		<p>In re Application of <b>Leo J. Wilz</b></p> <table border="1"> <tr> <td>Application Number <b>09/061,441</b></td> <td>Filed <b>04/16/98</b></td> </tr> <tr> <td colspan="2">For Receiver Sensitivity for Transceiver having Diversity Architecture</td> </tr> <tr> <td>Group Art Unit <b>2681</b></td> <td>Examiner <b>T. M. Legree</b></td> </tr> </table>	Application Number <b>09/061,441</b>	Filed <b>04/16/98</b>	For Receiver Sensitivity for Transceiver having Diversity Architecture		Group Art Unit <b>2681</b>	Examiner <b>T. M. Legree</b>
Application Number <b>09/061,441</b>	Filed <b>04/16/98</b>							
For Receiver Sensitivity for Transceiver having Diversity Architecture								
Group Art Unit <b>2681</b>	Examiner <b>T. M. Legree</b>							

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) **\$ 320.**

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: **\$ \_\_\_\_\_.**
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 14-1190. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record.
- attorney or agent acting under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a). \_\_\_\_\_.



Signature

John H. Sherman, Reg. 16,909

Typed or printed name  
09/09/2002 SMCORE 00000009 141190  
Date  
Sept 5, 2002

**NOTE:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

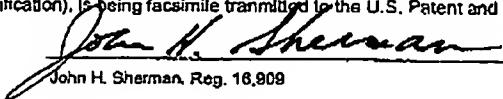
- Total of One forms are submitted.

#### CERTIFICATION OF FACIMILE TRANSMISSION

I hereby certify that this Notice of Appeal (of one page including this Certification), is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

09/03/02

Date



John H. Sherman, Reg. 16,909